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Debtor.

CASE NO.: 17-12579-MJK

CHAPTER: 13

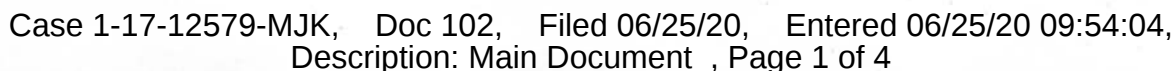
HON. JUDGE.: Michael J. Kaplan

Upon the Motion of BSI Financial Services as servicer for U.S. Bank Trust National Association, as Trustee of Tiki Series III Trust (together with any successor or assign, the “Movant”), dated March 23, 2020, with exhibits attached thereto, submitted in support of said application, with proof of service upon the Trustee, Debtor, Debtor’s Attorney, and U.S. Trustee;

NOW, upon the motion of Friedman Vartolo, LLP, attorneys for Movant, upon the consent of the Debtor and Debtor's Attorney, it is hereby:

**ORDERED**, that the motion of Movant is conditionally granted as set forth below, and it is further

**ORDERED**, that on or before June 15, 2021 the Debtor shall pay Movant all post-petition arrearages on his mortgage; such payments to include principal, interest, escrow advances and reasonable attorney fees in the amount of \$350.00 and costs in the amount of \$181.00 for a total sum of \$5,495.46; such sum shall be good through June 30, 2020 and said arrearages are broken down as follows:



7 Monthly Payments (12/01/2019-06/01/2020) at \$758.87 each	= \$ 5,312.09
Reasonable Attorney Fees	= \$ 350.00
Reasonable Attorney Costs	= \$ 181.00
Less Suspense	= (\$ 347.63)
Total	= \$ 5,495.46

AMOUNT	DUE BY
\$457.96	July 15, 2020
\$457.96	August 15, 2020
\$457.96	September 15, 2020
\$457.96	October 15, 2020
\$457.96	November 15, 2020
\$457.96	December 15, 2020
\$457.96	January 15, 2021
\$457.96	February 15, 2021
\$457.96	March 15, 2021
\$457.96	April 15, 2021
\$457.96	May 15, 2021
\$457.90	June 15, 2021

and said payments shall be in the form of certified funds and mailed to:

BSI Financial Services  
314 S. Franklin Street  
P.O. Box 517  
Titusville, PA 16354

and it is further,

**ORDERED**, that the Debtor shall make timely regular monthly payments to Movant at the address listed above by the 1st day of each and every month, commencing with the July 1, 2020 payment; and it is further

**ORDERED**, that in the event the Debtor fails to tender any of the stipulation or regular ongoing payments and thereafter fails to cure the default within ten (10) days from the date of service of a written Notice of Default on the Debtor and Debtor's Attorney, the Movant may file

an Affirmation of Non-Compliance together with a proposed Ex-Parte Order Granting Relief from the Automatic Stay. Upon issuance of the Ex-Parte Order, the Automatic Stay shall be deemed vacated with respect to the Movant, allowing the Movant, its agents, successors and/or assigns in interest to exercise all rights available to it under applicable state law with respect to the real property known as 132 Grant Street, Depew, NY 14043, (the "Property"); and it is further

**ORDERED**, that in the event that three (3) Notices of Default have been sent to Debtor and Debtor's Attorney as a result of two defaults under this Order, the Movant may file an Affirmation of Non-Compliance together with a proposed Ex-Parte Order Granting Relief from the Automatic Stay. Upon issuance of the Ex-Parte Order, the Automatic Stay shall be deemed vacated with respect to the Movant, allowing the Movant, its agents, successors and/or assigns in interest to exercise all rights available to it under applicable state law to exercise its remedies against the Property; and it is further

**ORDERED**, that if the automatic stay is lifted as a result of a default under this Order, then upon entry of any Ex-Parte Order Granting Relief from the Automatic Stay, the unpaid portion of Movant's Proof of Claim, Claim No. 2, shall be deemed withdrawn; and it is further

**ORDERED**, that in the event this case is converted to a case under any other chapter of the U.S. Bankruptcy Code, this Order will remain in full force and effect; and it is further

**ORDERED**, that the Movant shall promptly report to the Chapter 13 Trustee any surplus

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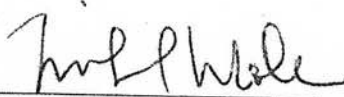
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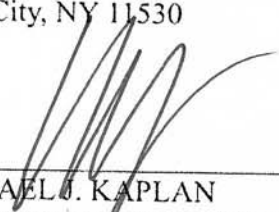
monies realized by any sale of the Property.

By:   
Michael W. Cole  
Law Offices of Michael W. Cole, PLLC  
13349 Broadway Street  
Alden, NY 14004

Date: 6/16/2020  
Alden, NY

By: /s/ Katherine Heidbrink, Esq.  
Katherine Heidbrink, Esq.  
Friedman Vartolo LLP  
Attorneys for Movant  
1325 Franklin Avenue, Ste. 230  
Garden City, NY 11530

Date: 06/16/2020  
Garden City, NY

  
HON. MICHAEL J. KAPLAN  
UNITED STATES BANKRUPTCY JUDGE

Date: 6/25/2020  
Buffalo, NY

*This Order shall be effective when a  
facsimile thereof is entered on the  
CM/ECF docket by the Office of the Clerk.*

  
U.S.B.J.

